

UNITED STATES DEPARTMENT OF AGRICULTURE

Rural Housing Service
Rural Business-Cooperative Service

COLORADO STATE OFFICE



Natural Resource Management Guide **Sixth Edition**

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This Guide is being issued in accordance with Rural Development Instruction 1940-G,
Subparagraph 1940.305 (b).



".....We must take heed to use aright the (natural resource) gifts entrusted to our care. It is not what we have that will make us a great nation; it is the way in which we use it.....We must keep steadfastly in mind that no people were ever yet benefited by riches if their prosperity corrupted their virtue."

Hon. Theodore Roosevelt
July 4, 1886



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NATURAL RESOURCE MANAGEMENT GUIDE

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I. FORWARD

The United States Department of Agriculture, Rural Development, Colorado “*Natural Resource Management Guide*” (NRMG) is mandated by (former “Farmers Home Administration”) Instruction 1940-G, Section 1940.305 (b) of the Subpart, to serve as an essential mechanism for implementing the Instruction and is consistent with and reflects the objectives and policies of Section 1940.304 of the Subpart. It has been tailored to take into account important state, regional, and local natural resource management objectives.

Information contained in the “*Natural Resource Management Guide*” is presented in a summarized form. Many specific technical and legal requirements have been generalized. Summary descriptions provided herein were not prepared or reviewed by attorneys-at-law or other authorized legal experts.

This directory, therefore, should only be used as a general reference source. It is not intended to be used in place of legal advice.

All contents of the NRMG have been reviewed and commented on by relevant agencies.



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II. INTRODUCTION

The Colorado State Office of the U.S. Department of Agriculture, Rural Development, formerly known as the "Farmers Home Administration" or "FmHA") has developed a "*Natural Resource Management Guide*" (NRMG). The NRMG is intended to serve as an essential mechanism for implementing FmHA Instruction 1940-G, "*Environmental Program*", particularly Subparagraph 1940.304, Special Policy:

"(The U.S. Department of Agriculture, Rural Development) recognizes that its specific mission of assisting rural areas, composed of farms and rural towns, goes hand-in-hand with protecting the environmental resources upon which these systems are dependent."

The basic content, purposes and uses of the NRMG are summarized as follows:

1. The NRMG shall serve as a mechanism for assembling an inventory of the locations within the State of Colorado of those natural and manmade resources, land uses, and environmental factors that have been specified by Federal, State, and local authorities as deserving some degree of protection or special consideration;
2. The NRMG shall summarize the various standards or types of Federal, State, or local protection that apply to the natural resources, land uses, and environmental factors listed in the inventory;
3. The NRMG shall be considered by Rural Development management in decisions relating to the use of available program resources.
4. Applications for individual projects must be reviewed for consistency with the NRMG.

The "*Natural Resource Management Guide*" is NOT intended to result in a plan or be a plan. It is intended to be an explicit framework of major environmental standards and review requirements that have been promulgated at the Federal level as well as those that are particular to the State of Colorado. It provides a listing of natural opportunities and constraints for various land use activities against which proposals for development can be evaluated. Finally, it serves as a useful planning tool for prospective applicants. The basic purposes of this guide and inventory, then, are to provide a basis for developing comprehensive, statewide, rural development investment strategies that (i) do not conflict with Federal, State, and local mandates to preserve and protect important land and environmental resources, (ii) that do not create short- or long-term development pressures which would lead to the unnecessary conversion of these resources, and (iii) which effectively support and enhance Federal, State, and local plans to preserve these resources.

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III. ALPHABETICAL LISTING OF AGENCY ABBREVIATIONS

ACHP	Advisory Council on Historic Preservation
BOR	Bureau of Reclamation (U.S.)
CCIA	Colorado Commission of Indian Affairs
CDPHE	Colorado Department of Public Health and Environment
CNHI	Colorado Natural Heritage Inventory
COE	Army Corps of Engineers (U.S.)
CPSC	Consumer Product Safety Commission (U.S.)
CDA	State Department of Agriculture (Colorado)
CFS	State Forest Service (Colorado)
CGS	Geological Survey (Colorado)
CHS	State Historical Society (Colorado)
CWC	Wildlife Commission (Colorado)
CWCB	Water Conservation Board (Colorado)
DNR	Department of Natural Resources (Colorado)
DOE	Department of Energy (U.S.)
DOI	Department of the Interior (U.S.)
DOT	Department of Transportation (U.S.)
DOW	Division of Wildlife (Colorado)
EPA	Environmental Protection Agency (U.S.)
FAA	Federal Aviation Administration (U.S.)
FDA	Food and Drug Administration (U.S.)
FS	Forest Service (U.S.)
FWS	Fish and Wildlife Service (U.S.)
HUD	Department of Housing and Urban Development (U.S.)
MSHA	Mine Safety and Health Administration (U.S.)
NAP	Natural Areas Program (Colorado)
NEPA	National Environmental Policy Act
NPS	National Park Service (U.S.)
OSHA	Occupational Safety and Health Administration (U.S.)
NRCS	Natural Resource Conservation Service (U.S.)
RD	Rural Development (U.S.)
RHS	Rural Housing Service (U.S.)
RBS	Rural Business-Cooperative Service (U.S.)
RUS	Rural Utilities Service (U.S.)
SHPO	State Historic Preservation Officer
USDA	Department of Agriculture (U.S.)
USGS	Geological Survey (U.S.)
WRC	Water Resources Council (U.S.)

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IV. Natural Resource Management Policies and Guidelines

A. Environmental Requirements

Rural Development has published its environmental requirements in its Instruction 1940-G. The content of the Instruction is derived from requirements contained in major environmental laws and regulations affecting Rural Development programs such as the Council on Environmental Quality Regulations, Farmland Protection Policy Act, and USDA Regulation 9500-3, “*Land Use Policy*”, as contained in Instruction 1940-G, “*Environmental Program*”.

1. General Policy

- a) Rural Development shall consider environmental quality as equal with economic, social, and other relevant factors in program development and decision making processes
- b) In assessing the potential environmental impacts of its actions, Rural Development shall consult early with appropriate Federal, State, and local agencies and other organizations to provide decision makers with both the technical and human aspects of environmental planning.
- c) When adverse environmental impacts are identified, either direct or indirect, an examination shall be made of alternative courses of action including their potential environmental impacts. The objective of the environmental review shall be to develop a feasible alternative with the least adverse environmental impact. The alternative of not proceeding with the proposal shall also be considered particularly with respect to the need for the proposal.
- d) If no feasible alternative exists, including the no-action alternative, measures to mitigate the identified adverse environmental impacts shall be included in the proposal.
- e) The performance of environmental reviews and the consideration of alternatives shall occur as early as possible in the Rural Development decision making process so that the agency will be in the most flexible and objective position to deal with these considerations.

2. Special Policy

a) Important Land Resources

- (1) Rural Development recognizes that its specific mission of assisting rural areas, composed of farms and rural towns, goes hand-in-hand with protecting the environmental resources upon which these systems are dependent. Basic resources necessary to both farm and rural settlements include important farmlands and forest lands, prime rangelands, wetlands, and floodplains. The definition of these areas are contained in the Appendix to the Departmental Regulation 9500-3, "*Land Use Policy*". Given the importance of these resources, as emphasized in the Departmental Regulation, Executive Order 11988, "Floodplain Management," and Executive Order 11990, "Protection of Wetlands," it is Rural Development's policy not to approve or fund any proposals that, as a result of their identifiable impacts, direct or indirect, would lead to or accommodate either the significant conversion of these land uses or encroachment upon them. The only exception to this policy is if the approving official determines that (i) there is no practicable alternative to the proposed action, (ii) the proposal conforms to the planning criteria identified in Paragraph (a) (2) of this section, and (iii) the proposal includes all practicable measures for reducing the conversion/encroachment.
- (2) It is also recognized that, unless carefully reviewed, some proposals designed to serve the needs of rural communities can adversely affect the existing economic base and settlement patterns of the community, as well as create development pressures on land and economies. An example of such a proposal might be the extension of utilities and other types of infrastructure beyond a community's existing settlement pattern and into important farmlands for the purpose of commercial or residential expansion, even though there is available space within the existing settlement pattern for such expansion. Not only may the loss of important farmlands unnecessarily result, but the community may be faced with the economic costs of providing public services to outlying areas, as well as the deterioration of its central business or commercial area; the latter may not be able to compete with the newer, outlying commercial establishments. These results are undesirable and, to avoid their occurrence, projects designed to meet rural community needs (i.e. residential, industrial, commercial, and public facilities) will not be approved unless the following conditions are met:
 - (a) The project is planned and sited in a manner consistent with the policies of this section, the Farmland Protection Policy Act, and Departmental Regulation 9500-3.
 - (b) The project is consistent with an existing comprehensive and enforceable plan that guides growth and reflects a realistic strategy for protecting natural resources, and the project is compatible to the extent practicable, with State, unit of local government, and private programs and policies to protect farmland. (If no such plan or policies exist, there is no Rural Development requirement that either

be prepared and adopted as further specified in paragraph (a) (3) of this section.)

- (c) The project will encourage long-term economically viable public investment by fostering or promoting development patterns that ensure compact community development, that is, development that is limited to serving existing settlement patterns; e.g., the existing structures, systems and neighborhoods; in filling of development; the provision of a range-to-moderate-to-high residential densities; appropriate to local and regional needs

- (3) The conditions specified in paragraph (a) (2) of this section should not be construed as advocating excessive densities, congestion, or loss of open space amenities within rural communities. Desirable living conditions can be obtained under these objectives along with economic and social benefits for the community and the surrounding farm operations. Additionally, these conditions should not be construed as requiring localities to develop plans which contain the conditions or to so amend existing plans to incorporate the conditions. In any instance in which these planning conditions or criteria do not exist within the project area, project reviews will not be postponed until the criteria are adopted. Rather, projects shall be reviewed and funding decisions made in light of a project's consistency with the contents of this Guide (excluding Item (ii) of paragraph (a) (1) of this section, which would not be applicable).

3. Other Policy

- a) Other special policies are discussed for specific resources under section IV. B. of this Guide.

B. Existing Federal and State Laws, Regulations, Standards or Procedures that Protect Designated, Important Land Uses and Environmental Resources Within the State.

[Following is a list of important land uses or features as well as environmental and cultural resources that have been designated by Federal and State agencies as deserving of some form of protection, conservation, or other designated level of consideration. The materials that follow specify (a) the designated resource, (b) the level or degree of protection to be afforded the resource, (c) agency(s) having jurisdiction or special expertise, and (d) a brief description where the resource is located within the State. When Federal, State, or local designations overlap, the most restrictive standard shall apply.]